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SEP 16 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY mam DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

NOTICE OF DOCUMENT DISCREPANCIES

TO: ☑ U. S. DISTRICT JUDGE / ☐ U. S. MAGISTRATE JUDGE Sabraw

FROM: R. Mullin, Deputy Clerk RECEIVED DATE: 9/12/2008

CASE NO.: 07cv2183 DMS (BLM) DOCUMENT FILED BY: Petitioner

CASE TITLE: Cunningham v. Marshall

DOCUMENT ENTITLED: Motion: Court Order for Unlawful Detainer (eviction)

Upon the submission of the attached document(s), the following discrepancies are noted:

✓	*Local Rule*	*Discrepancy*
X	5.1	**Missing time and date on motion and/or supporting documentation**
☐	5.3	Document illegible or submitted on thermal facsimile paper
☐	**5.4**	**Document not filed electronically. Notice of Noncompliance already issued.**
☐	7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
X	7.1 or 47.1	**Lacking memorandum of points and authorities in support as a separate document**
☐	7.1 or 47.1	Briefs or memoranda exceed length restrictions
☐	7.1	Missing table of contents
☐	15.1	Amended pleading not complete in itself
☐	30.1	Depositions not accepted absent a court order
☐		Supplemental documents require court order
☐		Default Judgment in sum certain includes calculated interest
☒		OTHER:

- Motion not signed
- Motion not served on opposing counsel

Date forwarded: 9/15/2008

ORDER OF THE JUDGE / MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

☐ The document is to be filed nunc pro tunc to date received.

☒ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☒ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: DANA M. SABRAW

Dated: 09/15/2008 By: A.S.

cc: All Parties

K:\COMMON\FORMS\CIVCRM35.WPD
Form # Civ/Crim 35 (4/98) -- [Docuument Discrepancy / Court Order]

REJECTED COPY

INMATE COPY

JAMES H CUNNINGHAM
AVENAL STATE PRISON
P.O. BOX #8 V 72323
AVENAL,CA 93204

UNITED STAES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

JAMES H CUNNINGHAM (petetioner)

v

Matthew Cate, (Secretary)

MOTION:COURT ORDER FOR UNLAWFUL DETAINER(eviction) SUPERIOR COURT OF CAL. SAN DIEGO COUNTY CASE;#UE014216 named PEDCOR HOMES CORP. vs.CUNNINGHAM

UNDER PENAL CODE#1258
CASE:NO.307 cv 02183

TO THE HONORABLE MAISSTRATE JUDGE B.BROOKS:

INTRODUCTION

IN RE:THE UNLAWFUL DETAINER WILL SHOW THAT PROPERTY SEIZED IN PETITIONERS HOME WAS OBTAINED ILLEGALLY.AN USED AS EVIDENCE BY THE DISRICT ATTORNY DAN LINKS.

Petitioner will make the argument that a illegal lockout was perform without notice which trapan on petitoners (due process)and leasee's civil rights.The performance by prosecutions witnessDebra Teich Property Manager. see in public Records Act REQUEST GOVT C 6250-6265 see Trombetta & Youngblood-Brady discovery,In repenal code1#1054-1054 .8.,Wherein designed to effectuate discovery,see in People v Wright-(1990)52 c 3d 367,413,276 CR731,761. There is no provision that only written or recorded statments are subject to discovery,as there is for Manager Teich,lockout procedure which over is shallow.Petitioner